



PATENT

DECLARATION CLAIMING SMALL ENTITY STATUS

FOR A SMALL BUSINESS CONCERN

I, Tibor Juhasz, hereby declare: that I am Vice President/Research of Intralase Corporation, a corporation of the State of Delaware and having a principal place of business at 2217 Vinewood, Ann Arbor, Michigan 48104; that I am empowered to act on behalf of Intralase Corporation; that I am empowered to act on behalf of Intralase Corporation; and that Intralase Corporation qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18 and 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of Intralase Corporation, including those of its affiliates, does not exceed 500 persons. I understand that, for purposes of this declaration, (1) the number of employees is the average over the preceding twelve months of the number of persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the preceding year, and that (2) two business concerns are considered to be affiliates of each other when one business concern either directly or indirectly controls or has the power to control the other, or when a third party or parties control or have the power to control both business concerns.

I further declare that all rights, title, and interest relating to the invention entitled A METHOD OF CORNEAL SURGERY BY LASER INCISING A CONTOURED CORNEAL FLAP, invented by Tibor Juhasz and J. Randy Alexander, as described in the patent

application which was filed in the United States Patent and Trademark Office as Serial No. 09/ 536,861 on March 27, 2000, (I hereby authorize the attorneys of Nydegger & Associates to insert said serial number and filing date when known.) have been conveyed to and currently remain with Intralase Corporation.

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at Ann Arbor, ^{Michigan}~~California~~, this 21 day of April, 2000.

Intralase Corporation

By: Tibor Juhasz
Tibor Juhasz
Vice President/Research

smntdecl:ddb
Docket: 11236.11



PATENT

DECLARATION, POWER OF ATTORNEY, AND PETITION

We, Tibor Juhasz, a citizen of Hungary, residing at 4 Heatherwood, Irvine, California 92620; and J. Randy Alexander, a citizen of the United States of America, residing at 2015 Vista Caudal, Newport Beach, California 92660; verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled A METHOD OF CORNEAL SURGERY BY LASER INCISING A CONTOURED CORNEAL FLAP, for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/ 536,861 on March 27, 2000; (We hereby authorize the attorneys of Nydegger & Associates to insert said serial number and filing date when known.); that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending, and now-allowed, application, Serial No. 08/725,070, filed October 2, 1996, which is a continuation-in-part of Application Serial No. 08/407,508, filed March 20, 1995, now abandoned, and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose material information, as defined in Section

1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorney NEIL K. NYDEGGER, Registration No. 30,202, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

NEIL K. NYDEGGER
NYDEGGER & ASSOCIATES
348 Olive Street
San Diego, California 92103
(619) 688-1300

Wherefore, we pray that a letters patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Ann Arbor, MI, this 21 day of April, 2000.

Inventor

Tibor Juhasz
Tibor Juhasz
4 Heatherwood
Irvine, California 92620

(Signatures Continued on Page 3)

Signed at Irvine California this 4 day of May , 2000.

Inventor

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J. Randy Alexander
2015 Vista Caudal
Newport Beach, California 92660

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